

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

BIG RIVERS ELECTRIC CORPORATION'S)
NOTICE OF CHANGES IN RATES AND)
TARIFFS FOR WHOLESALE ELECTRIC SERVICE) CASE NO. 9613
AND OF A FINANCIAL WORKOUT PLAN)

O R D E R

On November 21, 1986, National-Southwire Aluminum Company ("NSA") filed a petition pursuant to 807 K.A.R. 5:001, Section 7, to designate as confidential the documents produced in response to Items 3, 14, 19, 22, and 25 of Big Rivers' First Request for Information. A second petition was filed on November 24, 1986, requesting to designate as confidential NSA's monthly cost reports and annual budgets which were produced in response to a request for information. NSA supports both petitions by stating that the documents produced contain highly confidential proprietary information concerning its operations and cost of doing business. NSA further states that these documents are not otherwise publicly available and have been provided to Big Rivers only upon its execution of a confidentiality agreement.

On November 26, 1986, Big Rivers Electric Corporation ("Big Rivers") filed a petition to designate as confidential the following portions of transcripts filed with the Commission:

1. Tolin deposition - page 30 through line 10 of page 33, and Exhibit Nos. 2-4, and 8-13;

2. Satterwhite deposition - page 37 through line 14 of page 60 and Exhibit Nos. 2, 3 and 5;

3. Doty deposition - lines 1 through 21 of page 24, lines 1 through 9 of page 34, and page 77 through line 1 of page 83 and Doty Exhibits 4, a-d; and,

4. Chandler deposition - 6 pages.

Big Rivers supports its petition by stating that the documents contain confidential proprietary information relating to NSA's monthly costs and annual budgets which is confidential, proprietary information not otherwise publicly available.

Based on the petitions for confidentiality and a review of the documents and transcripts requested to be designated as confidential, the Commission is of the opinion and hereby finds that good cause exists to designate the documents as confidential.

IT IS THEREFORE ORDERED that the documents provided by NSA and the designated portions of the deposition transcripts, more fully described above, be and they hereby are designated as confidential.

Done at Frankfort, Kentucky, this 26th day of November, 1986.

PUBLIC SERVICE COMMISSION

Richard D. Herman, Jr.
Chairman

John R. L.
Vice Chairman

James M. Williams
Commissioner

ATTEST:

Executive Director